

In the High Court for the States of Punjab and Haryana
At Chandigarh

CRM-M-3367-2023 (O&M)
Date of Decision:-18.5.2023

Parmjit Singh ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Sunny K. Singla, Advocate for the petitioner.

Mr. Luvinder Sofat, DAG, Punjab,
assisted by ASI Sukhminder Singh.

Mr. Gurminder Singh Salana, Advocate for the complainant.

FIR No.	Dated	Police Station	Section/s
37	21.12.2022	Vigilance Bureau, Patiala, District Patiala	7 of Prevention of Corruption Act, 1988 (Amended Act, 2018)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of anticipatory bail in respect of the abovementioned FIR.
2. At the time of issuance of notice of motion, the following order was passed on 23.1.2023:

“The petitioner seeks grant of anticipatory bail in respect of a case registered against him vide FIR No. 37, dated 21.12.2022, Police Station Vigilance Bureau, Patiala, District Patiala, under Section 7 of Prevention of Corruption Act, 1988 (amended Act 2018).

The allegations, in nutshell, are that the petitioner who is posted as a Patwari, had accepted illegal gratification to the tune of Rs.5 lakhs (Rs.1 lakh + Rs.4 lakhs) for the purpose of sanction of mutation.

Learned counsel for the petitioner submits that it is a case where neither any trap was laid nor the petitioner was caught red-handed, while making any demand or while accepting any bribe and nor is there any other evidence in the shape of audio recording etc. to substantiate the allegations of demand or acceptance of bribe.

Notice of motion for 18.5.2023.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.”

3. Learned State counsel while informing that the petitioner has joined investigation has, however, opposed the petition mainly on the ground that there are several witnesses to the factum of demand of payment of bribe by the petitioner to the complainant. However, upon a query made by this Court as to whether any trap was laid or as to whether there is any audio recording, learned State counsel has fairly informed that no such evidence has been collected till date.
4. Mr. Gurminder Singh Salana, learned counsel representing the complainant has also opposed the petition while submitting that there are large number of applications pending against the petitioner in respect of his conduct, wherein he had demanded bribe from several landowners.
5. In view of the facts and circumstances of the case particularly the fact that the petitioner has joined investigation and at this stage there is no concrete evidence to establish the allegations against the petitioner, the petition is

accepted and the interim directions issued by this Court vide order 23.1.2023 are hereby made absolute, subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438(2) Cr.P.C.

6.
- It is, however, made clear that none of the observations made above shall be construed to be an expression on merits of the main case.

18.5.2023
pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No